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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/731,518	12/09/2003	Brian Jones	60001.298US01	3729

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EXAMINER	
BOTTS, MICHAEL K	

ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 06/29/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/731,518	JONES ET AL.	
	Examiner	Art Unit	
	Michael K. Botts	2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *29 March 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-18 and 20-23* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-18 and 20-23* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *29 March 2006* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This document is a Final Office Action on the merits. This action is responsive to the following communications: Response to Office Action, which was filed on March 29, 2006.

2. The drawings were objected to. Applicants have appropriately amended the drawings an submitted replacement sheets. The replacement sheets are accepted. Accordingly, the objection is withdrawn.

3. Claim 19 was objected to as a duplicate of claim 18. Applicant has cancelled claim 19. Accordingly, the objection to claim 19 is moot.

4. The Abstract of the Disclosure is objected to.

5. The Specification is objected to.

6. Claims 1-18 and 20-22 are currently pending in the case, with claims 1, 9 and 16 being the independent claims.

7. Claims 1-18 and 20-22 are rejected.

Information Disclosure Statement

8. Applicants filed a document designated as an Information Disclosure Statement on May 7, 2006. The document filed is not in the form of an information disclosure statement, and does not provide sufficient information for the Examiner to review and consider the information provided. The document presents factual evidence relating to the patentability of the invention without proper affidavit support. Accordingly, the

document is acknowledge as having been received, but has not been considered by the Examiner.

Abstract of the Disclosure

The abstract of the disclosure is objected to because it does not accurately reflect the invention claimed. The statement that the invention "may be manipulated on a server or anywhere even when the application creating the ML document is not present" is not claimed, and is essentially inherent in the markup language itself. In addition, the statement that the invention fields "may be manipulated when the ML document is parsed by other applications," similarly identifies a property of a markup language, rather than that of the invention itself. Finally, the statement that "field definition information (i.e. properties) are save in a markup language (ML) document without data loss, while allowing the filed structures to be parsed by ML-aware applications and to be read by ML programmers" also merely states inherent properties of the markup language, rather than stating a concise description of the invention. See MPEP § 608.01(b). Appropriate correction is required.

The Specification

9. The specification was objected to as containing over 300 lines of computer code. Upon re-examination, the code was found to contain 242 lines of code, which is less than the 300 line threshold for filing a compact disc. Accordingly, the objection to the specification for having over 300 lines of code is withdrawn. However, because the

number of lines of code exceeds 60, the specification is objected to on new grounds, as stated below.

10. The specification is objected to as containing a computer program listing of more than 60 lines of code. In accordance with 37 CFR 1.96(b)(2)(ii), the code must be positioned at the end of the description but before the claims. Any amendment must be made by way of submission of a substitute sheet. Appropriate correction is required.

Claims Rejections – 35 U.S.C. 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

11. **Claims 1-18 and 20-23** are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Harold, Rusty Elliotte, "XML Bible," IDG Books Worldwide, Inc., 1999, [hereinafter "Harold"].

Regarding **independent claim 1**, Harold teaches:

A method for representing style information in a markup language document, comprising:

determining properties corresponding to a style that relates to at least one section of an application document;

mapping the properties of the style into at least one of a markup language element, an attribute, and a value; and

storing the properties of the style in the markup language document.

(See, Harold, pages 1-12, teaching use of XML as a markup language in processing electronic documents. See, Harold, page 12, teaching association of XML and incorporating style properties with XSL. See specifically, Harold, page 8, last full paragraph, teaching XML as a storage format for word processors.)

Regarding **dependent claim 2, as amended**, Harold teaches:

The method of Claim 1, further comprising determining whether the style is one of a set comprising a paragraph style, a character style, a table style, and a list style.

(See, Harold, pages 120-127, teaching table styles applied to paragraphs, characters, tables and a list.)

Regarding **dependent claim 3**, Harold teaches:

The method of Claim 2, wherein additional properties are associated with each of the set of styles such that the custom styles are generated by selected one or more of the additional properties.

(See, Harold, pages 333-335, teaching overriding standard default style sheet styles, which creates custom styles for the style sheet.)

Regarding **dependent claim 4**, Harold teaches:

The method of Claim 1, wherein the style is categorized according to one of a set including a version of a built-in style, a latent style, and a custom style.

(See, Harold, pages 333-335, teaching default styles, which are "built-in" styles.)

Regarding **dependent claim 5**, Harold teaches:

The method of Claim 4, wherein a latent style comprises a style that is a built-in style not yet instantiated by an application.

(See, Harold, page 332, teaching a list of style sheet elements with associated styles as ID's. There is no requirement that all of the ID's be used. Style sheet elements that are built-in, or default, that are not used are not yet instantiated and therefore, by definition, are a "latent style.")

Regarding **dependent claim 6**, Harold teaches:

The method of Claim 1, further comprising:

determining properties corresponding to an additional style that relates to at least one section of the application document;

mapping the properties of the additional style into at least one of a markup language element, an attribute, and a value; and

storing the properties of the additional style in the markup language document.

(See, Harold, pages 333-335, teaching the STYLE attribute attached to an element to change a style in one section of the document. See, specifically, Harold, page 332, teaching multiple styles. See generally, Harold, pages 434-511 teaching setting and addition additional styles to documents.)

Regarding **dependent claim 7**, Harold teaches:

> *The method of Claim 1, wherein the properties of the style stored in the markup language document are understood by an application that understands the markup language when the style is not native to the application.*

(See Harold, pages 1-15 teaching that XML may be understood by different applications and that the XML language is "self-describing.")

Regarding **dependent claim 8**, Harold teaches:

The method of Claim 1, wherein the markup language document is manipulated on a server to substantially reproduce the style of the application document notwithstanding the presence of an application that generated the markup language document.

(See, Harold, page 10, teaching the use of XML with Cascading Style Sheets and XSL etc. to present documents in Web browsers.)

Regarding **independent claim 9**, claim 9 incorporates substantially similar subject matter as claimed in claims 1 and 2, combined, and is rejected along the same rationale.

Regarding **dependent claims 10-15**, claims 10-15 incorporate substantially similar subject matter as claimed in claim 9 in combination with substantially similar subject matter as claimed in claims 7, 8, 6, 3, 4, and 5, respectively, and are rejected along the same rationale.

Regarding **dependent claim 16**, claim 16 incorporates substantially similar subject matter as claimed in claim 1, and in further view of the following, is rejected along the same rationale. See, Harold, pages 191-200, teaching validating an XML document.

Regarding **dependent claims 17-18**, claims 17-18 incorporate substantially similar subject matter as claimed in claim 16 in combination with substantially similar subject matter as claimed in claims 4 and 6, respectively, and are rejected along the same rationale.

Regarding **dependent claims 20-23**, claims 20-23 incorporate substantially similar subject matter as claimed in claim 16 in combination with substantially similar subject matter as claimed in claims 10, 11, 2 and 3, respectively, and are rejected along the same rationale.

It is noted that any citations to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. See, MPEP 2123.

Response to Arguments

Applicants' arguments filed March 29, 2006 have been fully considered, but they are not persuasive.

Regarding rejection of claim 1:

First: Applicants argue that Harold "fails to teach or suggest to a method for representing style information in a markup language document, comprising: determining properties corresponding to a style that relates to at least one section of an application document; mapping the properties of the style into at least one of a markup language element, and attribute, and a value; and storing the properties of the style in the markup language document." See, Amendment, page 8.

The Examiner disagrees.

The argument quotes claim 1. See, Harold, pages 1-12, teaching use of XML as a markup language in processing electronic documents. See, Harold, page 12, teaching association of XML and incorporating style properties with XSL. See

specifically, Harold, page 8, last full paragraph, teaching XML as a storage format for word processors.

Second: The Applicants argue that Harold does not teach storing the properties of the style information in the markup language document. See, Amendment, page 8.

The Examiner disagrees.

The properties are stored in the header of an XML document, as taught by Harold. See, Harold, page 436, teaching the header of the XML code including the XML-stylesheet on line 2 of the code. Also see, Harold, page 437, lines 5-6, teaching that XSL "enables you to base styles on comments, attributes, processing instructions, and more."

Third: The Applicants argue that Harold "does not teach mapping properties corresponding to a style to markup language. Further, Applicants argue that Harold "teaches away from mapping the properties of the style into at least one of a markup language element, an attribute, and a value." See, Amendment, pages 8-9.

The Examiner disagrees.

See, Harold, page 437, bottom paragraph, teaching that XSL will accept a hierarchical tree expressed within an XML document and transform the first tree to form a new tree, which may also be expressed as an XML document. See also, Harold, page 438, teaching that XSL will transform to or from other markup languages such as HTML and SGML.

Regarding rejection of claim 2:

First: Applicants argue that claim 2 is allowable at least for the reasons argued for claim 1.

The Examiner disagrees.

For the reasons cited in rejection of claim 1, above, in addition to the reasons cited in rejection of claim 2, above, claim 2 is not in a condition of allowability.

Second: Applicants argue that Harold "fails to teach or suggest determining whether the style is one of a set comprising a paragraph style, a character style, a table style, and a list style." Further, Applicants argue that "Harold does not determine whether the application document comprises a style, but merely creates a table using standard HTML tags." See, Amendment, page 9.

The Examiner disagrees.

Initially, it is noted that the term "determining," as used in claim 2 is not defined in the specification. The Examiner checked the "IEEE 100, The Dictionary of IEEE Standards Terms," Seventh Edition, 2000, and the "Microsoft Computer Dictionary," Fifth Edition, 2002 for a definition of the term "determining," as the term was known to one of ordinary skill in the art at the time of the invention. There were no listings under "determine" or "determining" and it is believed that there was no well accepted definition for the term by one of ordinary skill in the art at the time of the invention. Accordingly, "determining" is defined as used in a non-technical usage. As used in context of the claims and specification, the Examiner believes that the Applicants intended the term "determining" to be read consistent with the definition found in "The American Heritage

College Dictionary," Fourth Edition, 2002, which defines "determine" as follows: "To reach a decision; resolve" and synonymous with decide. In its broadest reasonable interpretation, the term "determining" is believed by the Examiner to have been intended by the Applicants to include any act that identifies the style, and, in the case of claim 2, identifying the style of a paragraph, character, table, or list. The term "determining" will be so read for the remainder of this Office Action.

The rejection of claim 2 cited to Harold, pages 120-127, teaching styles applied to paragraphs, characters, tables, and a list. The XML code is shown on pages 120-122,and the resultant display, which is created by the determination of the styles, is taught on page 123. Similarly, another XML code set is taught at pages 124—127, with a different resultant style displayed on page 127 as a result of the determination of the style from that second code.

Regarding rejection of claim 3:

First: Applicants argue that claim 3 is allowable at least for the reasons argued for claim 2.

The Examiner disagrees.

For the reasons cited in rejection of claim 2, above, in addition to the reasons cited in rejection of claim 3, above, claim 3 is not in a condition of allowability.

Second: Applicants argue that Harold "fails to teach or suggest additional properties that are associated with each of the set of styles such that the custom styles are generated by selected one or more of the additional properties." Further, Applicants

argue that Harold teaches using style attributes when hand-authoring documents to code the style attribute in XML, and that "directly hand-coding the style information precludes determining and mapping the properties of a style of the application document." See, Amendment, pages 9-10.

The Examiner disagrees.

Initially, it is noted that the terms "determining" and "mapping" are not defined in the specification. As discussed above, the term "determining" is read to include any act that identifies the style. In its broadest reasonable interpretation, the term "mapping" was known to one of ordinary skill in the art at the time of the invention as "the process of correspondence between the elements of one set ant the elements of another set." See, IEEE 100, The Authoritative Dictionary of IEEE Standards Terms, Seventh Edition, IEEE Press, 2000, definition 2 of "mapping."

The determining and mapping of the properties of a style are found throughout the teachings of Harold. For example, Harold teaches the mapping of style from a first XML document through the XSLT to a second XML, HTML, or SGML document. See, Harold, pages 437-437. In addition, see Harold, pages 333-335 teaching determining style and overriding the style to create custom styles mapped from a first to a second document.

Applicants' argument that hand determining is not "determining" is not persuasive given the broadest reasonable interpretation of the term "determining" as discussed above. Claim 3 does not specify how the style is determined.

Regarding rejection of claim 4:

First: Applicants argue that claim 4 is allowable at least for the reasons argued for claim 1.

The Examiner disagrees.

For the reasons cited in rejection of claim 1, above, in addition to the reasons cited in rejection of claim 4, above, claim 4 is not in a condition of allowability.

Second: Applicants argue that Harold "fails to teach or suggest categorizing the style according to one of a set including a version of a built-in style, a latent style, and a custom style." See, Amendment, page 10.

The Examiner disagrees.

Applicants admit that Harold teaches using default style sheets. Default style sheets teach a style version that is "built-in." The style sheets are part of the XML document residing by reference in the header of the document. See, Harold, page 333, teaching both a standard style and a customized style.

Regarding rejection of claim 5:

First: Applicants argue that claim 5 is allowable at least for the reasons argued for claim 4.

The Examiner disagrees.

For the reasons cited in rejection of claim 4, above, in addition to the reasons cited in rejection of claim 5, above, claim 5 is not in a condition of allowability.

Second: Applicants argue that Harold "fails to teach or suggest a latent style that is a built-in style not yet instantiated by an application." See, Amendment, page 10.

The Examiner disagrees.

See, Harold, page 333, teaching that styles in a stylesheet that are modified by a custom style remain in the style sheet and in the XML document, but are not instantiated by the application, the application recognizing the custom style. The unrecognized style is therefore "latent."

Regarding rejection of claim 6:

First: Applicants argue that claim 6 is allowable at least for the reasons argued for claim 1.

The Examiner disagrees.

For the reasons cited in rejection of claim 1, above, in addition to the reasons cited in rejection of claim 6, above, claim 6 is not in a condition of allowability.

Second: Applicants argue that Harold "does not teach or suggest further mapping an additional style." See, Amendment, page 10.

The Examiner disagrees.

See, Harold, page 333, teaching mapping an additional style as a custom style overriding the built-in style.

Regarding rejection of claim 7:

First: Applicants argue that claim 7 is allowable at least for the reasons argued

for claim 1.

The Examiner disagrees.

For the reasons cited in rejection of claim 1, above, in addition to the reasons cited in rejection of claim 7, above, claim 7 is not in a condition of allowability.

Second: Applicants argue that Harold "fails to teach or suggest storing the mapped properties that correspond to a style in the markup language document." Further, Applicants argue that Harold "does not teach or suggest markup language documents having (mapped) properties of the style that are understood by an application that understands the markup language when the style is not native to the application." See, Amendment, page 11.

The Examiner disagrees.

See, Harold, pages 1-15, teaching that the XML document may be understood by different applications and that the SML document language is "self-describing." In addition, see Harold, pages 435-439, teaching mapping from a first XML document to a second XML document. Therefore, the second XML document, with the style, is understood by an application that understands XML.

Regarding rejection of claim 8:

Applicants argue that claim 8 is allowable at least for the reasons argued for claim 1.

The Examiner disagrees.

For the reasons cited in rejection of claim 1, above, in addition to the reasons

cited in rejection of claim 8, above, claim 8 is not in a condition of allowability.

Regarding rejection of claim 9:

Applicants argue that claim 9 is allowable at least for the reasons argued for claims 1 and 2.

The Examiner disagrees.

For the reasons cited in rejection of claims 1 and 2, above, in addition to the reasons cited in rejection of claim 9, above, claim 9 is not in a condition of allowability.

Regarding rejection of claims 10-15:

Applicants argue that claims 10-15 are allowable at least for the reasons argued for claim 9 in combination with claims 7, 8, 6, 3, 4, and 5, respectively.

The Examiner disagrees.

For the reasons cited in rejection of claims 10-15, above, in addition to the reasons cited in rejection of claims 9 in combination with claims 7, 8, 6, 3, 4, and 5, respectively, above, claims 10-15 are not in a condition of allowability.

Regarding rejection of claim 16:

First: Applicants argue that claim 16 is allowable at least for the reasons argued for claim 1.

The Examiner disagrees.

For the reasons cited in rejection of claim 1, above, in addition to the reasons

cited in rejection of claim 16, above, claim 16 is not in a condition of allowability.

Second: Applicants argue that Harold "teaches validating an XML document but does not teach validating the markup language document of claim 1." See, Amendment, page 11.

The Examiner disagrees.

Harold teaches mapping a first xml document to another XML, HTML, or SGML document through incorporating style through an XSLT. See, Harold, pages 433-439. Harold, pages 191-200, teaches, in detail, validating an XML document. It is irrelevant whether the XML document is the first document or the second XML document with mapped styles. Therefore, Harold teaches the XML document of claim 1, and teaches validating the XML document.

Regarding rejection of claims 17 and 18:

Applicants argue that claims 17 and 18 are allowable at least for the reasons argued for claims 4 and 6, respectively.

The Examiner disagrees.

For the reasons cited in rejection of claims 4 and 6, above, in addition to the reasons cited in rejection of claims 17 and 18, above, claims 17 and 18 are not in a condition of allowability.

Regarding rejection of claims 20-23:

Applicants argue that claims 20-23 are allowable at least for the reasons argued

for claims 10, 11, 2, and 3, respectively.

The Examiner disagrees.

For the reasons cited in rejection of claim 10, 11, 2, and 3, respectively, above, in addition to the reasons cited in rejection of claims 20-23, above, claims 20-23 are not in a condition of allowability.

Additional Prior Art

12. The following prior art is made of record and not relied upon that is considered pertinent to applicants' disclosure:

Cagle, et al., "Professional XSL," Wrox Press Ltd., 2001, cover and copyright pages and pages 9-21, teaching that XSL, and XSLT, maps from one markup language document to another, and that the mapped data resides in the markup language document.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS for the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael K. Botts whose telephone number is 571-272-5533. The examiner can normally be reached on Monday through Friday 8:00-4:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 571-272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MKB/mkb

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